

MINUTES
PLANNING & ZONING COMMISSION OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Monday Evening, 03 February 2020

1. CALL TO ORDER: Chairman Ron Jackson at 6:00 p.m.
2. QUORUM CHECK: Michael J. Cassata, Development Services Director

Commission Members present:

Ron Jackson, Chairman

Scott Dagg, Secretary

Elizabeth Dixon, Member

Christina Fitzpatrick, Member

J Svalberg, Member

Ron Hannan, Member

Zach Carlton, Member

Also present:

Kim M. Turner, City Manager

Commission Members Absent:

Sally Cook, Vice-Chairman

Shelly Reynolds, Member

3. MINUTES OF PREVIOUS MEETING:

Regular Meeting – 06 January 2020

Ms. Svalberg moved to accept the minutes as presented. Mr. Hannan seconded the motion. The motion was approved on a 7-0 vote.

Mr. Cassata provided a presentation on Extraterritorial Jurisdiction (ETJ) that included applicable sections of the State's Local Government Code. He also pointed out where the new water and sewer service lines will be extended from and touched on emergency services.

Ms. Turner discussed in detail the mutual aid agreements for fire response and the options related to police response for the ETJ area. She also explained the history of how the City's ETJ was established and the process and timeline for annexing developed land in the ETJ.

4. NEW BUSINESS:

- A. Consider: P.C. 513.A—A **Final Subdivision Plat** establishing **Orchard Park Subdivision, Unit One**: being a total of 29.546 acres (22.509 acres onsite and 7.037 acres offsite) consisting of 86 residential lots, one commercial lot and three open space lots, located in the Torribia Herrera Survey No. 68, abstract no. 153, Guadalupe County, Texas being a portion of that certain 66.335 acres of land conveyed to Cibolo Farms, LLC, as described in volume 2419, page 211, official records of Guadalupe County, Texas.

Mr. Cassata discussed the proposed Orchard Park Unit One final plat and explained the project is 29.5 acres and consists of 86 residential lots, one commercial lot and three series open space lots. He also explained that due to the subdivision layout and

adjacency to the ETJ, two variances from the Subdivision Code are required: one to allow a block length more than 1,200 feet and a second variance to allow a side lot line to abut the City's ETJ line.

Mr. Cassata confirmed the final plat currently under consideration is for a portion of the overall tract.

Upon inquiry from Ms. Svalberg, Mr. Cassata confirmed the entire subdivision, including the Unit Two, will have two points of ingress/egress with the second access point connecting to the existing subdivision in Selma via Triangle Ranch Road. He also explained that a warrant study was conducted that concluded a traffic light at the main entrance on FM 1518 was not warranted at this time.

No one from the public provided comment.

Mr. Dagg made a motion by stating: Per Sections 4-2-25 and 4-2-26 of the Subdivision Code, in recommending favorably upon a plat of subdivision with variances, the Planning & Zoning Commission finds that:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of his land;
2. The variances are necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The granting of the variances will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
4. The granting of the variances will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this article.

Therefore, I move to approve PC 513.A, the Orchard Park Unit One Final Subdivision Plat, including requested variances, subject to the following condition:

1. Further review of the final subdivision plat by City staff and consultants, as necessary, related to minor, non-substantive plat issues.

Mr. Carlton seconded the motion. **The motion was approved on a 7-0 vote.**

- B. Consider: P.C. 521—A **Preliminary Subdivision Plat and Replat** establishing **Lavonne Villa Subdivision**: being a 2.648 acre tract of land situated in the City of Universal City, Bexar County, Texas, being out of the M.L. Torres Survey No. 81, abstract no. 745, consisting of all of a called 1.948 acre tract of land, as described in volume 12378, page 1875, of the official public records of Bexar County, Texas, and lots 52, 53 and 54, block 8 of the Carlton George Estates, as recorded in volume 9568, page 133, of the deed and plat records of Bexar County, Texas, and being that same certain called 2.647 acre tract of land, as conveyed to Solarium Homes, LLC, and recorded in volume 17237, page 1234, of the official public records of Bexar County, Texas.

Mr. Cassata provided the background of the property and proposed subdivision to include that in 2014 the property was rezoned from C1-Neighborhood Services to R-OT-Old Town Residential. He noted that in 2014 the R-OT District allowed duplexes, but that was changed in 2017 whereby duplexes were no longer permitted; however, due to the time of the rezoning and related development proposal in 2014, duplexes are

permitted on the property. He then explained that the proposed subdivision consists of 10 residential lots and one open space lot for a potential private park. He also stated there is an area on Lot 4 designated for surplus visitor parking. He further mentioned that the proposed duplexes will complement the planned revitalization of the general area.

Upon inquiry from Ms. Svalberg, Ms. Turner and Mr. Cassata confirmed the current proposal would not allow for a group home.

No one from the public provided comment.

Mr. Dagg moved to approve the preliminary plat. Ms. Fitzpatrick seconded the motion. **The motion was approved on a 7-0 vote.**

Upon inquiry from Mr. Hannan, Bjorn Boentges, the applicant's engineer, confirmed that the duplexes would be owned by the property owner and rented to tenants.

Consider: P.C. 521—A **Final Subdivision Plat and Replat** establishing **Lavonne Villa Subdivision**: being a 2.648 acre tract of land situated in the City of Universal City, Bexar County, Texas, being out of the M.L. Torres Survey No. 81, abstract no. 745, consisting of all of a called 1.948 acre tract of land, as described in volume 12378, page 1875, of the official public records of Bexar County, Texas, and lots 52, 53 and 54, block 8 of the Carlton George Estates, as recorded in volume 9568, page 133, of the deed and plat records of Bexar County, Texas, and being that same certain called 2.647 acre tract of land, as conveyed to Solarium Homes, LLC, and recorded in volume 17237, page 1234, of the official public records of Bexar County, Texas.

Chairman Jackson briefed the audience on the procedures for the public hearing and deliberation.

No one from the public provided comment.


Mr. Dagg moved to approve the final plat. Ms. Fitzpatrick seconded the motion. **The motion was approved on a 7-0 vote.**

Mr. Cassata informed the Commissioners that they may receive inquiries from residents within the next month since all property owners in the City will be mailed notices for upcoming proposed changes to the Zoning Code use table. He explained the proposed use table will be available on the City's website with hard copies available at City Hall.

Ms. Turner provided an update on the status of City projects and upcoming events.

Chairman Jackson thanked everyone and adjourned the meeting.

5. **ADJOURNMENT:** The meeting adjourned at 6:45 p.m.


Ronald N. Jackson
Chairman